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10/809,428	03/26/2004	Hiroshi Morisaki	119269	6821

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EXAMINER	
MCCOMMAS, BRENDAN N	

ART UNIT	PAPER NUMBER
2625	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/809,428	MORISAKI, HIROSHI	
	Examiner	Art Unit	
	BRENDAN MCCOMMAS	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 November 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21 and 23-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21 and 23-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. **Claims 1-9, and 11** are rejected under 35 U.S.C. 103(a) as being anticipated by Tanaka (United States Patent 6,999,187) further in view of Taima (United States Patent 6,594,031).

2. **Regarding claim 1**, Tanaka discloses an image forming apparatus, communication system for maintenance of image forming apparatus, maintenance service method of image forming apparatus and medium storing information to be used in maintenance. In addition Tanaka discloses a communication system comprising a communication device (figure 1) and a terminal device (figure 2) that are connected to and capable of performing data communications with each other, as disclosed in column 9 lines 16-67, the communications device comprising: a communicating unit that performs data communications via a network; a communication-end storing unit 2 capable of storing various data and capable of being reorganized by the terminal device as an external storage device connected to the terminal device, as disclosed in ; and a communication -storage commanding unit 3 comprising a judging portion that judges

whether or not a communication data transmitted through or received by the communicating unit is satisfied with a prescribed storage condition, as disclosed in column 7, lines 1-10; a storing portion (a portion in element 2) that stores a communication data in the communication end storing unit if the communication data is satisfied with prescribed condition as a result of judgment by the judging unit; a handling portion that handles the communication data as a plurality of data segments (plurality meaning that some of the data segments are sent out of the device somewhere else to be stored in order to make room in the RAM of the device) each having a prescribed data size if the communication data is not satisfied with the prescribed condition (as in the capacity is over 90%) as a result of judgment by the judging portion, and that handles the communication data as a single data (the Examiner takes single data as in the data is all stored in one spot, the RAM) if the communication data satisfies the prescribed conditions (as in the capacity is below 90%) as a result of the judgment by the judging portion as disclosed in column 7, lines 5-27, column 6, lines 11-20, and column 9, lines 30-37; and a sequentially storing portion (part of element 2) that sequentially stores the data segments in the communication-end storing unit, as disclosed in column 1, lines 53-64; and the terminal device comprising: a terminal-end storing unit 25 that stores various data; and a terminal-end storage commanding unit that stores the communication data or the data segments in the terminal-end storing unit when the communication data or the data segments in the terminal-end storing unit when the communication data or data segments are stored in the communication end storing unit, as disclosed in column 5, lines 4-14 and exhibited in figure 2. However

Tanaka fails to explicitly disclose a storing portion that stores in the communication-end storing unit the communication data as the single data if the communication data satisfies the prescribed storage condition as the result of judgment by the judging portion; and a sequentially storing portion that sequentially stores in the communication-end storing unit the data segments segment by segment if the communication data does not satisfy the prescribed storage condition as the result of judgment by the judging portion; and a terminal-end storage commanding unit that stores, when the communication data is stored as the single data in the communication-end storing unit by the storing portion, the communication data into the terminal-end storing unit or--and that stores when data segments are stored in the communication-end storing unit by the sequentially storing portion, the data segments into the terminal-end storing unit. However it would have been obvious to one of ordinary skill in the art at the time of the invention to include such a modification to the invention of Tanaka as taught by Taima. In a similar field of endeavor Taima discloses a printer control unit and method, and a record medium and recording a printer control program and a printer system. In addition Taima discloses in column 4, lines 60-67 that a storing portion that stores in the communication-end storing unit the communication data as the single data if the communication data satisfies the prescribed storage condition as the result of judgment by the judging portion; and further discloses in column 4, lines 1-20 a sequentially storing portion that sequentially stores in the communication- end storing unit the data segments segment by segment if the communication data does not satisfy the prescribed storage condition as the result of judgment by the judging portion; and a

terminal-end storage commanding unit that stores, when the communication data is stored as the single data in the communication-end storing unit by the storing portion, the communication data into the terminal-end storing unit or--and that stores when data segments are stored in the communication-end storing unit by the sequentially storing portion, the data segments into the terminal-end storing unit. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include such a modification to the invention of Tanaka, for the purpose of allowing the data from different devices to be stored with the specified compression ratio.

3. **Regarding claim 2**, Tanaka and Taima disclose everything claimed as applied above (see claim 1). In addition Tanaka discloses a communication system wherein the terminal device further comprises terminal end deletion commanding unit that deletes the communication data or the data segments from the communication end storing unit after the communication data or data segments have been stored in the terminal end storing unit by the terminal end storage commanding unit (or a memory reset, step S150), as exhibited in figure 9.

4. **Regarding claim 3**, Tanaka and Taima disclose everything claimed as applied above (see claim 2). In addition Tanaka discloses a communication system wherein the communication end storage commanding unit further comprises a generating portion that generates and stores specification data in the communication end storing unit, the specification data identifying the plurality of data segments as segments of data divided from the communication data, as disclosed in column 18, lines 15-41; and wherein the terminal device further comprises data combining unit that creates communication data

by combining the data segments store in the terminal end storing unit based on the specification data stored in the communication end storing unit, as disclosed in column 18, lines 34-41.

5. **Regarding claim 4**, Tanaka and Taima disclose everything claimed as applied above (see claim 3). In addition Tanaka discloses a communication system wherein the terminal end storage commanding unit comprises: a judging portion that judges storage of the specification data in the communication end storing unit, as disclosed in column 7, lines 11-27; and a storing unit that stores the specification data in the terminal end storing unit when the specification data is stored in the communications end storing unit as a result of judgment made by the judging portion that judges storage of the specification data; and wherein the terminal end deletion commanding unit deletes the specification data from the communication end storing unit provided in the communication device after the specification data has been stored in the terminal end storing unit; and wherein the data combining unit combines the data segments based on the specification data stored in the terminal end storing unit, as disclosed in column 7, lines 11-27 and (the memory reset, step S150), as exhibited in figure 9.

6. **Regarding claim 5**, Tanaka and Taima disclose everything claimed as applied above (see claim 1). In addition Tanaka discloses a communication system wherein the communication unit is configured to transmit or receive communication data in the data segment basis; and wherein the storing portion that stores a communication data stores a communication data formed from the data segments transmitted or received by the communicating unit in the communication end storing unit if the communication data is

satisfied with the prescribed condition, as disclosed in column 15, lines 1-5; and wherein the sequentially storing portion stores the data segments in the communication end storing unit each time a data segment is transmitted or received by the communicating unit if the communication data is not satisfied with the prescribed condition as disclosed in column 18, lines 16-33.

7. **Regarding claim 6**, Tanaka and Taima disclose everything claimed as applied above (see claim 1). In addition Tanaka discloses a communication system wherein the handling portion that handles communication data comprises a data dividing section that divides communication data transmitted or received by the communicating unit into the data segments if the communication data is not satisfied with the prescribed condition as a result of judgment by the judging portion, the sequentially storing portion storing in the communication end storing unit the divided data segments when the communication data has been divided into the data segments by the data dividing section, as disclosed in column 18, lines 16-42.

8. **Regarding claim 7**, Tanaka and Taima disclose everything claimed as applied above (see claim 1). In addition Tanaka discloses a communication system wherein the prescribed storage condition comprises a storage capacity of a remaining area in the communication end storage unit indicating an available storage area (which as described in column 18 lines 34-42 can be applied to the service provider apparatus to monitor the total use of memory there) for storing communication data, the storage condition being satisfied if the communication data is greater than or equal to a prescribed threshold value, as disclosed in column 7, lines 5-10.

9. **Regarding claim 8**, Tanaka and Taima disclose everything claimed as applied above (see claim 1). In addition Tanaka discloses a communication system wherein the prescribed storage condition comprises a specific parameter associated with the communication data transmitted or received by the communicating unit, the storage condition being satisfied if the communication data is associated with the specific parameter, as disclosed in column 7, lines 11-29.

10. **Regarding claim 9**, Tanaka and Taima disclose everything claimed as applied above (see claim 8). In addition Tanaka discloses a communication system wherein the communication data comprises image data and wherein the specific parameter comprises the number of colors in an image represented by the image data, the storage condition being satisfied if the number of colors in the image is greater than or equal to a prescribed number, as disclosed in column 17, lines 50-67.

11. **Regarding claim 11**, Tanaka and Taima disclose everything claimed as applied above (see claim 1). In addition Tanaka discloses a communication system wherein the communications device further comprises a mode switching unit that switches by a user's operation, an operating mode of the communication device between a normal mode (where compression is not used) for storing communication data transmitted or received by the communicating unit in the communication end storing unit unchanged by the storing portion that stores a communication data, and a divided mode (where compression is used) for storing the data segments in the communication end storing unit by the sequential storing portion when communication data is transmitted or received by the communicating unit, the prescribed storage condition being satisfied if

the operation mode is switched to the normal mode by the switching unit, as disclosed in column 11, lines 50-67 and column 5, lines 4-12 .

12. **Claims 10 and 12-25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (United States Patent 6,999,187) further in view of Taima (United States Patent 6,594,031) further in view of Thormodson et al. (United States Patent Application Publication 2004/0075866).

13. **Regarding claim 10**, Tanaka and Taima disclose everything claimed as applied above (see claim 8). In addition Tanaka discloses a communication system wherein the communication data comprises image data, as disclosed in column 17, lines 26-45; However Tanaka fails to explicitly disclose wherein the specific parameter comprises a resolution of an image, the storage condition being satisfied if a resolution of an image is greater than or equal to a prescribed threshold value. However it would have been obvious to one of ordinary skill in the art at the time of the invention to disclose such a modification to the system of Tanaka, as taught by Thormodson.

14. In a similar field of endeavor, Thormodson discloses a poster preparation system and method. In addition Thormodson discloses a system wherein the specific parameter comprises a resolution of an image, the storage condition being satisfied if a resolution of an image is greater than or equal to a prescribed threshold value, as disclosed in [0013]. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include such a modification to the invention of Tanaka for the purpose of publishing posters on the internet, as disclosed in Thormodson [0002].

15. **Regarding claims 12-18,** Tanaka, Thormodson and Taima disclose everything claimed as applied above (see claims 1-11). In addition claims 12-18 are rejected for similar reasons as set forth above in the rejection of claims 1-11. Claims 12-18 disclose a communication system and claims 1-11 describe a similar system. Therefore claims 12-18 are rejected.

16. **Regarding claims 19-25,** Tanaka, Taima and Thormodson discloses everything claimed as applied above (see claims 1-18). In addition claims 19-25 are rejected for similar reasons as set forth above in the rejection of claims 1-11. Claims 19-25 disclose a set of storage mediums which perform the same function as the system disclosed in claims 1-11. Therefore claims 19-25 are rejected.

Response to Arguments

49. Applicant's arguments filed 11/20/2009 have been fully considered but the Examiner respectfully disagrees. On page 2 of the Applicant's arguments, the Applicant argues, "Taima also discloses that the image data temporarily stored in a hard disk is compressed on a page-by-page basis (see col. 7, lines 64-67). That is, Taima deals with all the image data on a page-by-page basis. On the other hand, in the claimed communication system, if a judging portion judges that a communication data satisfies a prescribe storage condition, a storing portion stores the communication data as a single data, whereas if a judging portion judges that the communication data does not satisfy a prescribed storage condition, a sequentially storing portion sequentially stores data segments segment by segment. That is, communication data is handled as the single data if the prescribed storage condition is satisfied and is handled as a data segment if

the prescribed storage condition is not satisfied. Taima does not disclose the claimed communication system.Further, contrary to the assertion on page 3 of the Office Action, data stored in a RAM is not all stored in one spot. Generally, a RAM functions as a temporary storage area having a plurality of data. Asserting that the data stored in a RAM is in one spot denies the fact that a plurality of data is stored in the RAM. As such, storing data in a RAM does not mean that the data is stored as a single data." The Examiner respectfully disagrees and points to Taima column 6, lines 1-25, which disclose that Taima stores the data in segments in the printer based on one compression ratio if the copier cannot handle the compression ratio, and uses another compression ratio for the copier. It is assumed that the whole data is expanded in the copier and that the printer handles the data as a whole single data. The term single data is interpreted here to just mean the whole image data, while the compressed data is interpreted to mean segmented data. Regarding claim 10, the Applicant argues, 'With the configuration claimed in claims 12 and 23, the communication data stored in the communication-end storing unit can be recorded automatically in the terminal-end storing unit. This configuration prevents the description data that does not satisfy the prescribed condition from mistakenly being read by the user and stored in the terminal-end storing unit (see page 44, line 7 to page 45 line 4 of Applicant's specification). None of the applied references discloses the combination of features recited in the claims or the resulting benefits.' The examiner respectfully disagrees and argues that the terminal end storage unit of Taima is the copier device which is used in connection with the printer in Taima. This copier device as disclosed in Taima stores either the compressed

data or the full image data depending on what is sent to it from the printer, and the prescribe storage condition, as disclosed in column 6, lines 1-35.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRENDAN MCCOMMAS whose telephone number is (571)270-3575. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Haskins can be reached on (571)272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ Brendan N. MCCommas/
Examiner, Art Unit 2625

/Twyler L. Haskins/
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